

the application papers and to whom the refusals were made. These statements of facts are enclosed herewith.

Each of the proper joint inventors for the present application has an obligation of assignment to Promics Pty. Ltd.. The signing inventors, Stephen Maxwell Taylor, Ian Alexander Shiels, and Lindsay Charles Brown, have executed an assignment to Promics Pty. Ltd., a copy of which is being submitted separately for recordation.

Pursuant to 37 C. F. R. § 1.47(a), we attach a Fee Transmittal Sheet authorizing the Commissioner to deduct the petition fee of \$200 as required by 37 C. F. R. § 1.17(g). Should any additional fees be required for any reason relating to the enclosed materials, the Commissioner is authorized to deduct said fees Deposit Account No. 08-1394, Order No. 36677.30.

In conclusion, the petition is proper and should be granted. Should the Office have any questions or require further information, a telephone call to the undersigned Applicants' representative is earnestly solicited.

10/20/2005 ATRAN1 00000135 081394 10510614
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Respectfully submitted,



Mark D. Moore, Ph.D.
Registration No. 42,903

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HAYNES AND BOONE, L.L.P.
901 Main Street, Suite 3100
Dallas, Texas 75202-3789
Telephone: 713-547-2040
Facsimile: 214-200-0853

It has now been determined that Michael Whitehouse is also a proper joint inventor. The proper joint inventors for the above-referenced U.S. application are therefore Stephen Maxwell Taylor, Ian Alexander Shiels, Lindsay Charles Brown, and Michael Whitehouse.

As the above-referenced U.S. application was filed under 35 U. S. C. § 371, Applicants understand that statements under 37 C. F. R. § 1.497(d) may also be required. However, when both 37 C. F. R. § 1.47(a) and 37 C. F. R. § 1.497(d) apply, the situation does not appear to be clear. Applicants are therefore making a good faith response under 37 C. F. R. § 1.47(a), with the present petition and accompanying statement of facts and exhibits, and respectfully request that should statements under 37 C. F. R. § 1.497(d) also be required, Applicants be so notified by the Office.

The inventors' declaration is being signed by Stephen Maxwell Taylor, Ian Alexander Shiels, and Lindsay Charles Brown. Michael Whitehouse has been contacted but has expressly refused to join. Therefore, Applicants hereby petition to make application for patent under 37 C. F. R. § 1.47(a).

The accompanying declaration lists Stephen Maxwell Taylor, Ian Alexander Shiels, Lindsay Charles Brown, and Michael Whitehouse as inventors and is signed by Stephen Maxwell Taylor, Ian Alexander Shiels, and Lindsay Charles Brown. Michael Whitehouse has non-signing inventor status under 37 C. F. R. § 1.47(a). The last known address of Michael Whitehouse is 37 Waratah Ave., Holland Park W., Queensland 4121, Australia.

Michael Whitehouse was provided with a copy of the application and understood what he was being asked to sign, but expressly refused to sign. The circumstances of the presentation of the application papers and of the refusal to sign are specified in statements of facts (statutory declaration) by Vivien B. Santer and Alan R. Scott, the person who presented the inventors with